

**GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION**

Legislative Committee

LOCATION

**Governor's Council Conference Room
3601 C Street
Anchorage, Alaska
Teleconference**

Meeting Date

**January 7, 2014
1:00 p.m.**

Attendees:

Dean Gates – Chair
Art Delaune
Heidi Haas
Banarsi Lal
Terese Kashi
Christine King
Akis Gialopsos for Rep. Millett
Alex Gimarc

Staff:

Teresa Holt
Patrick Reinhart
Hannah Foreman
Christie Reinhardt
Richard Sanders

Prepared by: Paula DiPaolo, Peninsula Reporting

CALL TO ORDER – 1:00 p.m.
ROLL CALL

Announcements and News

Anchorage Caucus Assembly

Akis Gialopsos reminded committee members that the Anchorage caucus will be meeting on Saturday in the Assembly chambers of the Loussac Library from 9 a.m. to 12 p.m. Public testimony is welcome, and members of the public will have three minutes to speak before senators and representatives. Dean Gates and Patrick Reinhart stated that they will be present to give testimony. Teresa Holt suggested that Ric Nelson may want to attend this as well, and Hannah Foreman will send him an e-mail.

Staff Update

Teresa Holt reported on the status of Michelle Jenkins' son, who was in a car accident in December. She stated that Michelle will be out of the office until at least the end of January.

APPROVAL OF THE AGENDA AND PAST MINUTES

Approval of the Agenda

Christine King **MOVED** to approve the agenda. The motion **PASSED**.

Approval of Previous Meeting Minutes

Alex Gimarc **MOVED** to approve the minutes from the December 5, 2013 meeting. The motion **PASSED**.

Correspondence

Patrick Reinhart stated that other than communications with Representative Millett's office, there is no other correspondence to report.

REPORTS

Report from the Chair

Dean Gates did not have anything to report for this meeting.

Report from Staff

Patrick Reinhart reported that the next regional Trust Advocacy Summit will be in Juneau February 26th and 27th. He stated that the Council is recruiting for five people from the DD community to participate in that summit.

Patrick stated that there is also a Trust-sponsored youth advocacy summit February 3rd through the 5th. They are trying to recruit youth to attend, particularly some of the youth involved in Project SEARCH.

Patrick Reinhart stated that they have chosen people to sponsor to attend Key Campaign in Juneau, and they were able to fund 11 people for airfare only. Key Campaign has adopted the CBC, Employment First, and restraint and seclusion to support. Christine King stated that she would be willing to attend as a Council member, and Teresa Holt stated that she could probably go, and asked Christine to send her an e-mail.

OLD BUSINESS – POSITION PAPERS

Teresa Holt explained that the difference between the position paper and the talking points is that the position papers are for the legislators to give them brief information about the issues. The talking points papers contain information pulled from the position papers, but they allow space for Council members to make notes so they can prepare specifics of their presentations.

Alaska Complex Behavior Collaborative Position Paper

Committee members engaged in a discussion regarding the draft position paper. The following points were discussed:

- *Put the dollar amount of the bill on the first page.*

The amount of the funding is contained in the second page of the paper, because past experience has shown that the dollar amount at the beginning invokes a negative response.

- *The data on the second page that relates to the number of people served appears to be unclear.*

The bulleted item was suggested to read, "Of the 42 individuals who received CBC services, 11 successfully completed the program in SFY'12, and 27 are currently receiving services."

Teresa Holt asked committee members to e-mail her other suggestions of wording to accurately reflect this data.

- *76% of participants avoided institutional care. What is the meaning of institutional care?*

Teresa Holt explained that institutional care means API, Corrections, or out-of-state placements. Dean Gates suggested educating Council members prior to their legislative appointments on the meaning of institutional care.

- *Under the "What is it" section, put the age range of individuals served by the CBC.*

After researching the age range, that information will be added by staff.

Alex Gimarc **MOVED** to accept the CBC position paper as amended. The motion **PASSED**.

Keeping Alaska Kids Safe Position Paper

Committee members engaged in a discussion regarding the draft position paper. The following points were discussed:

- *On the second page, first bullet “Notify parents within 24 hours,” change to read, “Notify parents in less than 24 hours.”*
- *Add a time frame for the written report and the review process.*

Discussion ensued regarding adding additional time frames to the written report and the review process. Teresa Holt clarified that this is the statute, and any further regulations will be handled through the State Board of Education and Early Development and each individual school district to further define those parameters.

- *Change the sentence, “Of the 54 Alaskan school districts, 20 districts have Crisis Prevention Institute certified trainers.”*

Teresa Holt stated that in addition to the CPI trainers, some school districts use the MANDT system as well, and those figures are not included in this. It would be better to have specific bullets of the number of certified trainers and the numbers of people trained. Christie Reinhardt will gather this information.

- *On page two, second bullet, “All Alaska school districts must,” add a bullet that says, “Inform the parents of the restraint and seclusion policies.”*

Akis Gialopsos stated that the actual bill contains that language in detail.

- *The first goal should be changed from “All school districts should be safe for students and school personnel,” to “All schools should be safe for students and school personnel.”*
- *Under “Why should Alaska do this,” the sentence, “Restraint and seclusion are not evidence-based educational or behavioral programs, therapies, treatments, or strategies,” should be changed to, “Alaska has accepted evidence-based practice in education. Restraint and seclusion are not evidence-based educational or behavioral programs, therapies, treatments, or strategies.”*

Akis Gialopsos suggested the language, “Half the states in the Union recognize that restraint and seclusion techniques are not evidence based and have taken steps to address this. Alaska needs to be part of that.”

Dean Gates also suggested the wording, “Restraint and seclusion should not be used as behavioral modification tools.”

Akis Gialopsos further suggested the wording, “Alaska, having accepted evidence-based programs, should join the (blank) number of states that have rejected these sets of techniques.”

Teresa Holt stated that they will rework this phrasing.

- *The talking points mention students as “children”, but many special education students are over the age of 18. Also, any reference to “teacher” should be “staff”.*

Alex Gimarc **MOVED** to approve the position paper with the above-mentioned amendments. The motion **PASSED**.

Employment First Position Paper

Committee members engaged in a discussion regarding the draft position paper. The following points were discussed:

- *Last bullet on the first page, “The Employment First bill does not require employers to give preference to hiring persons with disabilities; they are to be hired commensurate with their abilities and qualifications,” change to, “The Employment First bill does not require employers to give preference to hiring persons with disabilities; however, the bill would require the person with a disability to be hired commensurate with their abilities and qualifications.*

After discussion regarding this sentence change, Patrick Reinhart stated that the purpose of this statement is just to allay some of the fears that this bill is telling employers they have to hire people with disabilities. He stated that there are other laws that cover the other aspects of employment.

Dean Gates suggested that the existing bulleted sentence be broken into two by changing the semicolon to a period.

- *Second page, second bullet, second sub bullet, "...where the majority of employees are not persons with disabilities," change to "working alongside persons without disabilities."*

A discussion ensued regarding the bulleted item that addresses the minimum wage. Rich Sanders explained that the reason the minimum wage is addressed in the position paper is to clarify that the legislation's intention is that people with disabilities should not be working for less than minimum wage, and they should be paid at the same rate of pay as a person without disabilities doing the same job.

Alex Gimarc shared his concerns that the Council not use the words "minimum wage" in the position paper to infer that the Council has taken a side on a potentially contentious future ballot issue.

Teresa Holt suggested the wording, "Gainful employment means full or part-time work where wages are no less than those paid for the same or similar work performed by individuals without disabilities."

Teresa Holt further explained that during legislative preparation, Council members will be educated on how to address the minimum wage issue.

Terese Kashi **MOVED** to accept the position paper with the above-mentioned amendments.

NEW BUSINESS

Legislative Committee Report for Council Meeting

The committee report to the Council has been submitted.

Weekly Trust Sponsored Meetings

Teresa Holt stated that typically the executive director and staff person attend these meetings, and then it gets reported on at legislative meetings. It is not a meeting that is open to the public.

UPCOMING MEETINGS AND CONFERENCES

- GCDSE Quarterly Meeting – January 21 – 23, Juneau.
- Trust-Sponsored Youth Advocacy Summit – February 3 – 5.
- Key Campaign – February 11 – 12.
- Juneau based Trust Advocacy Training, February 26 – 27.

TIME AND DATE OF NEXT LEGISLATIVE COMMITTEE MEETING

The next meeting is scheduled for February 27, 2014 at 12:00 p.m.

ADJOURNMENT

By unanimous consent, Dean Gates adjourned the meeting at 2:42 p.m.